

DOCKET NO.: 00237.US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Vogeli, et al

Serial No.: 09/714,449

Group No.: not yet assigned


Filing Date: November 16, 2000

Examiner: not yet assigned

For: Novel G Protein-Couples Receptors

DATE OF DEPOSIT: September 4, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO BOX MISSING PARTS, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.


Gwilym John Owen Attwell
REGISTRATION NO.: 45,449

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
REQUEST FOR EXTENSION OF TIME**

In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated **March 2, 2001**, a response to which is due **May 2, 2001**, enclosed herewith for filing is:

- ☒ A copy of the Notice to File Missing Parts.
- ☒ The original Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. **EL531170312US** on **November 16, 2000**.
- ☒ An Associate Power of Attorney is also enclosed.
- ☐ Basic Filing Fee of @@ is enclosed together with the @@ surcharge.
- ☐ Request for Corrected Filing Receipt.
- ☐ A substitute specification in compliance with 37 C.F.R. 1.52.
- ☐ _____ Sheets of Substitute drawings in compliance with 37 C.F.R. 1.84.

- ☐ Other: Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Sequence Disclosure; Amendment in Response to the Communication dated March 2, 2001; Statement to Support Filing and Submitting in Accordance with 37 CFR §§ 1.821 through 1.825; Sequence Listing (pages 1-86); Diskette containing Sequence Listing; Communication (2 pages).
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization
- ☒ Request is hereby made under 37 CFR 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application of **March 2, 2001** to and through **September 2, 2001**, comprising an extension of the shortened period of **4 months**:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
MISSING PARTS SURCHARGE	\$65	\$	\$130	\$ 130
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$195	\$	\$390	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$445	\$	\$890	\$
<input checked="" type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$695	\$	\$1390	\$ 1390
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$945	\$	\$1890	\$
TOTAL FEE DUE				\$1520

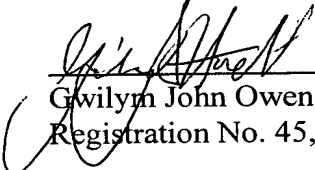
Applicant(s) has/have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.207.

Total fee required \$1520

- ☒ A check in the amount of \$1520 is attached to cover the surcharge (\$130) extension fee (\$1390). Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$_____.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any additional filing fees required under 37 CFR 1.16 including fees for presentation of extra claims.
 - ☒ Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
 - ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
 - ☒ Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

This sheet is attached in duplicate.

Date: *September 4, 2001*

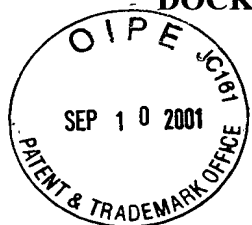

Gwilym John Owen Attwell
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Woodcock Washburn Kurtz
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Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

10

DOCKET NO.: 00237US1

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Gabriel Vogeli et al.

Serial No.: 09/714,449

Group Art Unit: Not yet assigned

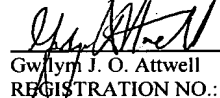
Filing Date: November 16, 2000

Examiner: Not yet assigned

For: Novel G Protein-Coupled Receptors

DATE OF DEPOSIT: September 4, 2001

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Gwilym J. O. Attwell
REGISTRATION NO.: 45,449

BOX SEQUENCE

Assistant Commissioner for Patents
Washington DC 20231

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURE**

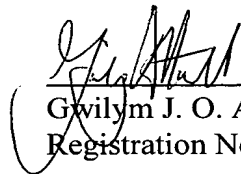
In response to the "Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" dated March 2, 2001, a response to which is due May 2, 2001, enclosed herewith is:

- ☒ Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;
- ☒ Substitute pages of the Sequence Listing;
- ☒ Substitute copy of the computer readable form of amended Sequence Listing;
- ☒ Copy of Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;

- ☐ Petition for Extension of Time;
- ☐ Other:

The Commissioner is hereby authorized to charge any underpayment associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

Date: September 4, 2001


Gwilym J. O. Attwell
Registration No. 45,449

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Sector 15

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/714,449	11/16/2000	Gabriel Vogeli	00431PHRM293

26657

WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP
ATTENTION: SUZANNE E. MILLER ESQ.
ONE LIBERTY PLACE, 46TH FLOOR
PHILADELPHIA, PA 19103

FORMALITIES LETTER



OC000000005821557

Date Mailed: 03/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/10/2001 TBESHAH1 00000090 09714449

FILED UNDER 37 CFR 1.53(b)

02 FC:105

130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$800.
 - \$800 for 10 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 930.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/10/2002 WPRASASO 00000003 233050 09714449

01 FC:102

880.00 CH

10-17
OFFICE
SEP 10 2001
PATENT & TRADEMARK OFFICE
DOCKET NO. 00237.US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Vogeli, et al

Serial No.: 09/714,449

Group No.: not yet assigned

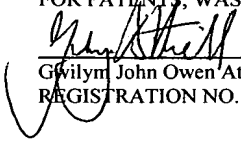
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Examiner: not yet assigned

For: Novel G Protein-Couples Receptors

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Gwilym John Owen Attwell
REGISTRATION NO.: 45,449

BOX MISSING PARTS

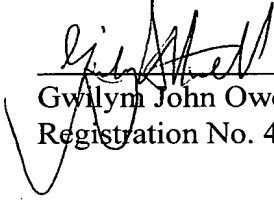
Assistant Commissioner for Patents
Washington DC 20231

COMMUNICATION

Applicants were advised in the Notice to File Missing Parts dated March 2, 2001 that a charge of \$800.00 was outstanding for 10 independent claims over 3. Applicants dispute this charge as Applicants had actually paid for 14 independent claims over 3 upon filing. This is evidenced by the enclosed copies of the application transmittal letter dated November 16, 2000, check for \$4260 and return postcard stamped by the PTO mailroom evidencing receipt thereof. Accordingly, Applicants believe that all independent claims were paid for upon filing. In addition, if there were any claims which were not paid upon filing, Applicants had authorized the Office to charge the deposit account of Applicants attorney. Said authorization is also included on the transmittal letter enclosed herewith. Nevertheless, if after reviewing the above-

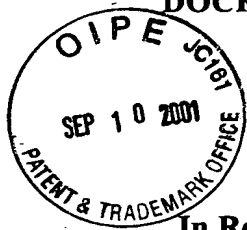
identified evidence the Office still believes a fee is outstanding for said independent claims, the Office is hereby authorized to charge this fee to Deposit Account No. 23-3050.

Date: *September 4, 2001*



Gwilym John Owen Attwell
Registration No. 45,449

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Mackiewicz & Norris LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Gabriel Vogeli, Linda S. Wood, Luis A.
Parodi, Ronald R. Hiebsch, Peter Lind,
Jerry L. Slightom, Kathleen A. Schellin,
Paul S. Kaytes, Christopher M. Bannigan,
Valerie Ruff, Torsten Sejlitz and Rita M.
Huff

Serial No.: Not yet assigned**Group Art Unit:** Not yet assigned**Filing Date:** Herewith**Examiner:** Not yet assigned**For:** NOVEL G PROTEIN-COUPLED RECEPTORS**EXPRESS MAIL LABEL NO:** EL531170312US**DATE OF DEPOSIT:** November 16, 2000

Box ☒ Patent Application
☐ Provisional ☐ Design

Assistant Commissioner for Patents
Washington DC 20231

Sir:

PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing, please find

☒ A Utility Patent Application under 37 C.F.R. 1.53(b).

It is a continuing application, as follows:

☐ continuation ☐ divisional ☐ continuation-in-part of prior application number
____/____.

☐ A Provisional Patent Application under 37 C.F.R. 1.53(c).

☐ A Design Patent Application (submitted in duplicate).

Including the following:

☐ Provisional Application Cover Sheet.

☒ New or Revised Specification, including pages 1 to 167 containing:

☒ Specification

☒ Claims

☒ Abstract

☐ Substitute Specification, including Claims and Abstract.

☐ The present application is a continuation application of Application No. _____ filed _____. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Since none of those amendments incorporate new matter into the parent application, the present revised Specification also does not include new matter.

☐ The present application is a continuation application of Application No. _____ filed _____, which in turn is a continuation-in-part of Application No. _____ filed _____. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Although the amendments in the parent C-I-P application may have incorporated new matter, since those are the only revisions included in the present application, the present application includes no new matter in relation to the parent application.

☐ A copy of earlier application Serial No. _____ Filed _____, including Specification, Claims and Abstract (pages 1 - @@), to which no new matter has been added TOGETHER WITH a copy of the executed oath or declaration for such earlier application and all drawings and appendices. Such earlier application is hereby incorporated into the present application by reference.

☐ Please enter the following amendment to the Specification under the Cross-Reference to Related Applications section (or create such a section) : "This Application:

☐ is a continuation of ☐ is a divisional of ☒ claims benefit of U.S. provisional Application Serial No. 60/165,838, filed 1999 November 16; Serial No. 60/166,071, filed 1999 November 17; Serial No. 60/166,678 filed 1999 November 19; Serial No. 60/173,396, filed 1999 December 28; Serial No. 60/184,129, filed 2000 February 22; Serial No. 60/188,114, filed 2000 March 9; Serial No. 60/185,421, filed 2000 February 28; Serial No. 60/186,811, filed 2000 March 3; Serial No. 60/186,530, filed 2000 March 2; Serial No. 60/207,094, filed 2000 May 25; Serial No. 60/203,111, filed 2000 May 8; Serial No. 60/190,310, filed 2000 March 17; Serial No. 60/201,190, filed 2000 May 2; Serial No. 60/185,554, filed 2000 February 28; Serial No. 60/198,568, filed 2000 April 20; and Serial No. 60/190,800, filed 2000 March 21.

☐ Signed Statement attached deleting inventor(s) named in the prior application.

☐ A Preliminary Amendment.

☐ _____ Sheets of ☐ Formal ☐ Informal Drawings.

☐ Petition to Accept Photographic Drawings.

☐ Petition Fee

☒ An ☐ Executed ☒ Unexecuted Declaration or Oath and Power of Attorney.

☐ An Associate Power of Attorney.

☐ An ☐ Executed ☐ Copy of Executed Assignment of the Invention to _____

☐ A Recordation Form Cover Sheet.

☐ Recordation Fee - \$40.00.

☐ The prior application is assigned of record to _____

☐ Priority is claimed under 35 U.S.C. § 119 of Patent Application No. _____
filed _____ in _____ (country).

☐ A Certified Copy of each of the above applications for which priority is claimed:

☐ is enclosed.

☐ has been filed in prior application Serial No. _____ filed _____

- ☐ An ☐ Executed or ☐ Copy of Executed Earlier Statement Claiming Small Entity Status under 37 C.F.R. 1.9 and 1.27
- ☐ is enclosed.
- ☐ has been filed in prior application Serial No. _____ filed _____, said status is still proper and desired in present case.
- ☒ Diskette Containing DNA/Amino Acid Sequence Information.
- ☒ Statement to Support Submission of DNA/Amino Acid Sequence Information.
- ☐ The computer readable form in this application _____, is identical with that filed in Application Serial Number _____, filed _____. In accordance with 37 CFR 1.821(e), please use the ☐ first-filed, ☐ last-filed or ☐ only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is ☐ included in the originally-filed specification of the instant application, ☐ included in a separately filed preliminary amendment for incorporation into the specification.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ A copy of Petition for Extension of Time as filed in the prior case.
- ☐ Appended Material as follows: _____
- ☒ Return Receipt Postcard (should be specifically itemized).
- ☐ Other as follows: _____
- _____
- _____
- _____

FEE CALCULATION:

- ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

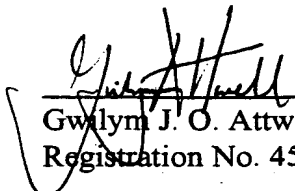
			SMALL ENTITY		NOT SMALL ENTITY	
			RATE	FEE	RATE	FEE
PROVISIONAL APPLICATION			\$75.00	\$	\$150.00	\$
DESIGN APPLICATION			\$160.00	\$	\$320.00	\$
UTILITY APPLICATIONS BASE FEE			\$355.00	\$	\$710.00	\$710
UTILITY APPLICATION; ALL CLAIMS CALCULATED AFTER ENTRY OF ALL AMENDMENTS						
	No. Filed	No. Extra				
TOTAL CLAIMS	140 - 20 =	120	\$9 each	\$	\$18 each	\$2,160
INDEP. CLAIMS	17 - 3 =	14	\$40 each	\$	\$80 each	\$1,120
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			\$135	\$	\$270	\$270
ADDITIONAL FILING FEE				\$		\$
TOTAL FILING FEE DUE				\$		\$4,260

- ☒ A Check is enclosed in the amount of \$ 4,260.
- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).
- ☐ The issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-

identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: Nov. 16, 2000


Gwilym J. O. Attwell
Registration No. 45,449

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Mackiewicz & Norris LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
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PATENT TRADEMARK OFFICE